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Monster Energy Company
8

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11

12 MONSTER ENERGY COMPANY, a
Delaware corporation,

13 Plaintiff,

14 vs.
15

VITAL PHARMACEUTICALS, INC.
16 d/b/a VPX SPORTS, a Florida
corporation; and JOHN H. OWOC a.k.a.
17 JACK OWOC, an individual,


18 Defendants.
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Case No. 5:18-cv-1882-JGB-SHK

**APPENDIX A IN SUPPORT OF
PLAINTIFF MONSTER
ENERGY COMPANY'S
MOTION FOR PRELIMINARY
INJUNCTION**



Judge: Hon. Jesus G. Bernal
Date: May 13, 2019
Time: 9:00 a.m.

Appendix A: Observations of BANG in Monster Contracted-For Space



<u>Date</u>	<u>Store</u>	<u>Location</u>	<u>Type of Interference</u>	<u>Picture (if available)</u>	<u>Declaration¹</u>
4/5/2019	Pit Stop – Weedsport	Weedsport, NY	BANG energy drinks in Monster shelf in cooler		Nathan Nielsen ¶¶ 4-7

¹ This column refers to the declarations of the listed individuals, filed herewith.



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3/21/2019	Lehigh Gas (Dunne Manning store)	Dunmore, PA	BANG energy drinks in Monster shelf in cooler		Bob Samela ¶¶ 4-5
3/19/2019	Walmart Supercenter 5717	El Paso, TX	BANG energy drinks on Monster's side of shared cooler		Mario Chavez ¶¶ 4-5

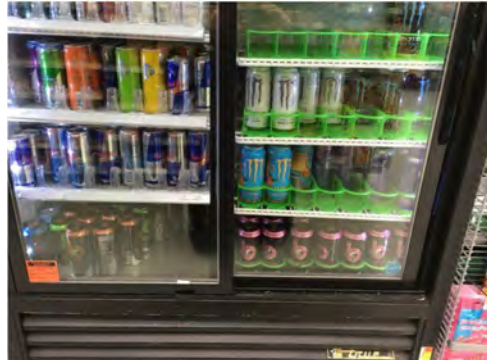

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3/18/2019	Walmart Supercenter 1339	Columbia, SC	BANG energy drinks on Monster side of Monster-Red Bull cooler		Robert Johnson ¶¶ 6-7
3/12/2019	Walmart Supercenter 1863	Eastlake, OH	BANG energy drinks on Monster side of Monster-Red Bull cooler		Tim Constable ¶¶ 4-5

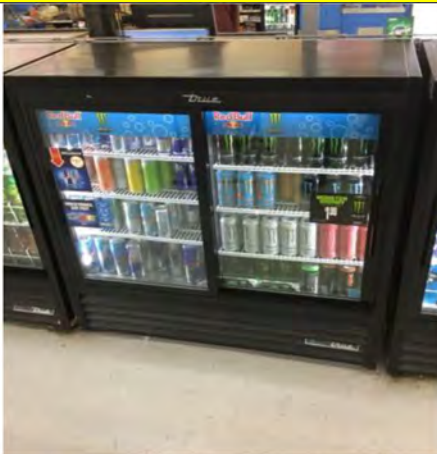

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3/7/2019	Walmart Store 3102	Princeton, MN	BANG energy drinks on Monster side of Monster-Red Bull cooler		Courtney Algama ¶¶ 4-5
3/5/2019	Circle K 6313	Trenton, MI	BANG energy drinks in Monster shelf in cooler		William Charles Hamby III ¶¶ 4-5

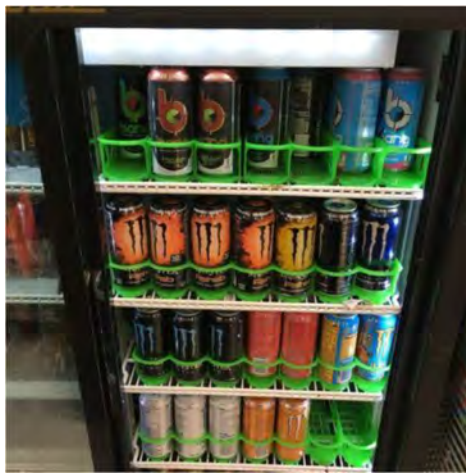
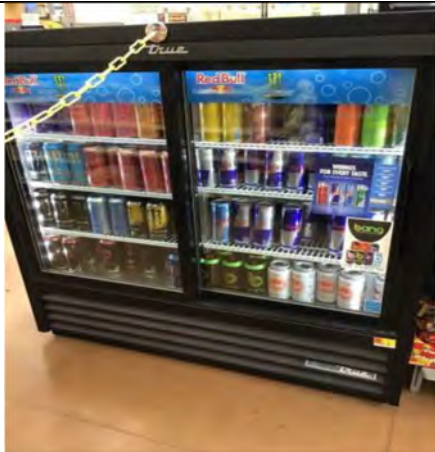
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3/5/2019	Walmart Supercenter 3489	Rosedale, MD	BANG energy drinks on Monster side of Monster-Red Bull cooler		Matthew Boccia ¶¶ 6-8
2/28/2019	American Gas & Oil	Portland, MI	BANG energy drinks in Monster shelf in cooler		Meghan Higbie ¶¶ 4-5

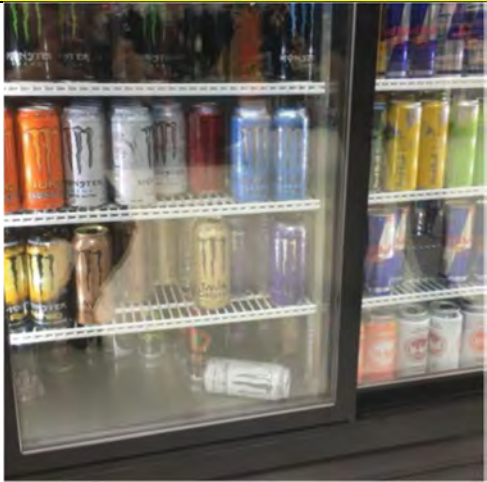

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2/27/2019	Walmart Store 1891	Manchester, CT	BANG energy drinks on Monster side of Monster-Red Bull cooler		Anthony Cekovsky ¶¶ 4-5
2/27/2019	Walmart Supercenter 5626	Tucson, AZ	BANG energy drinks in shared Monster-Red Bull cooler		Ashley Bingham ¶¶ 4-5

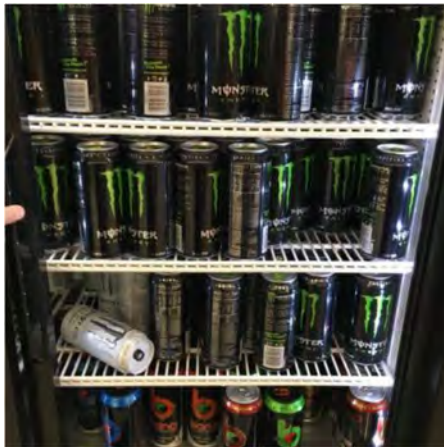

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2/26/2019	Walmart Supercenter 2412	Ellicott City, MD	BANG energy drinks on Monster side of Monster-Red Bull cooler		Matthew Boccia ¶¶ 12-13
2/26/2019	Walmart Supercenter 3641	Springfield, OH	BANG energy drinks on Monster's side of shared cooler		Samantha Lodde ¶¶ 6-7

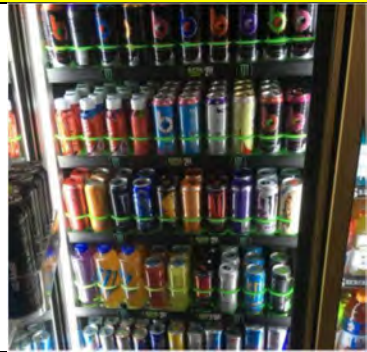

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2/26/2019	Walmart 3581	Zanesville, OH	BANG energy drinks on Monster's side of shared cooler		James O'Brien ¶¶ 8-9
2/25/2019	Walmart Supercenter 3489	Rosedale, MD	BANG energy drinks on Monster side of Monster-Red Bull cooler		Matthew Boccia ¶¶ 6-8

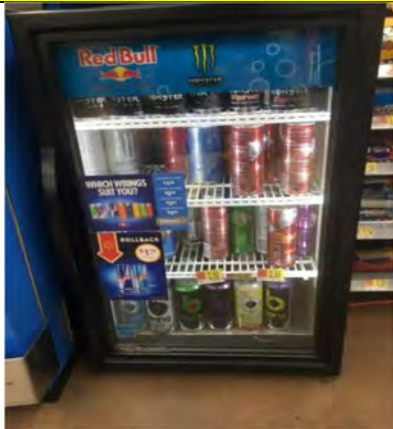
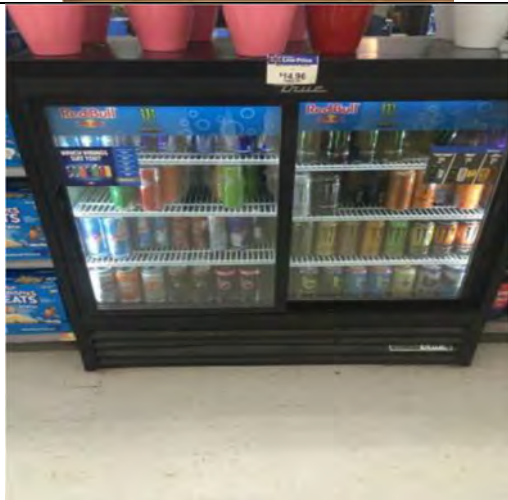
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2/25/2019	Walmart Supercenter 2045	Nottingham, MD	BANG energy drinks on Monster side of Monster-Red Bull cooler		Matthew Boccia ¶¶ 10-11
2/25/2019	Walmart Supercenter 1718	Findlay, OH	BANG energy drinks on Monster's side of shared cooler		Samantha Lodde ¶¶ 4-5



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2/20/2019	Big Red 116	Little Rock, AR	BANG energy drinks in Monster space in cooler		Aaron Cheney ¶¶ 9-10
2/20/2019	Walmart Supercenter 820	Boonville, MO	BANG energy drinks on Monster's side of shared cooler		Hannah Nelson ¶¶ 4, 6-8


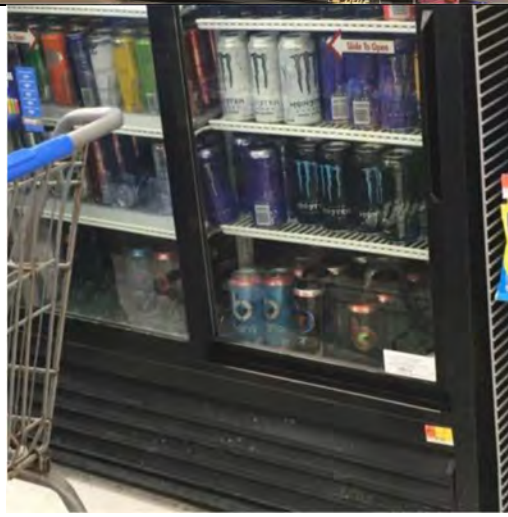
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2/15/2019	Walmart Supercenter 3332	Fulton, NY	BANG energy drinks in Monster-Red Bull shared cooler		Michael Krajacic ¶¶ 4-5
2/15/2019	Walmart Store 1926	Oswego, NY	BANG energy drinks on Monster's side of shared cooler		Michael Krajacic ¶¶ 6-7




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2/15/2019	Walmart Supercenter 1907	Hinsdale, NH	BANG energy drinks on Monster's side of shared cooler		Steven Castle ¶¶ 4-5
2/14/2019	Walmart Supercenter 5450	North East, MD	BANG energy drinks on Monster side of Monster-Red Bull cooler		Matthew Boccia ¶¶ 4-5



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2/14/2019	Walmart Supercenter 820	Boonville, MO	BANG energy drinks on Monster's side of shared cooler		Hannah Nelson ¶¶ 4-6
2/12/2019	Walmart Supercenter 2460	Seaford, DE	BANG energy drinks on Monster's side of shared cooler		Gerald Kirby ¶¶ 4-5



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2/6/2019	AM PM 83191	Sacramento, CA	BANG energy drinks in Monster shelf in cooler		Steve Landry ¶¶ 8-9
2/4/2019	Walmart Supercenter 517	Mustang, OK	BANG energy drinks on Monster side of Monster-Red Bull cooler		Daniel Hoepfer ¶¶ 4-5
1/24/2019	AM PM 5731	West Sacramento, CA	BANG energy drinks in Monster shelf in cooler		Steve Landry ¶¶ 6-7



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1/17/2019	AM PM 82856	Culver City, CA	BANG energy drinks in Monster shelf in cooler		Gerardo Rico ¶¶ 4-6
1/17/2019	AM PM 82708	Studio City, CA	BANG energy drinks in Monster shelf in cooler		Gerardo Rico ¶¶ 7-8



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1/15/2019	Walmart Supercenter 4506	Columbia, SC	BANG on a shelf in the Monster shared cooler		Robert Johnson ¶¶ 4-5
1/15/2019	AM PM 81691	Woodland, CA	BANG energy drinks in shared Monster-Red Bull cooler		Brian Silva ¶¶ 4-6
1/15/2019	AM PM 82639	Woodland, CA	BANG energy drinks in Monster shelf in cooler		Brian Silva ¶¶ 7-9



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1/14/2019	AM PM 82530	Orangevale, CA	BANG energy drinks in Monster shelf in cooler		Brian Silva ¶¶ 12-13
1/9/2019	AM PM 81757	Roseville, CA	BANG energy drinks in Monster shelf in cooler		Brian Silva ¶¶ 10-11

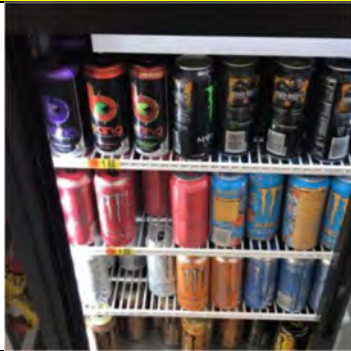


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11/30/2018	Circle K 2655291	Elk River, MN	BANG energy drinks in Monster espresso space in cooler		Charley Boyum ¶¶ 6-7
11/14/2018	Walmart Supercenter 3397	Miami, FL	BANG energy drinks on Monster side of Monster-Red Bull cooler		Jesus Bobe ¶¶ 4-5



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11/9/2018	Circle K 2656228	Elk River, MN	BANG energy drinks in Monster shelf in cooler		Charley Boyum ¶¶ 4-5
11/9/2018	Circle K 1348	O'Fallon, IL	BANG energy drinks in Monster shelf in cooler		Lauren Milliano ¶¶ 4-5


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11/7/2018	Walmart Supercenter 5	Conway, AR	BANG energy drinks on Monster's side of shared cooler		Aaron Cheney ¶¶ 6-7
11/7/2018	Walmart Supercenter 5	Conway, AR	BANG energy drinks on Monster's warm shelf space		Aaron Cheney ¶¶ 6, 8
10/24/2018	Duke & Duchess Shoppe 1615	Columbus, OH	BANG energy drinks in Monster shelf in cooler		James O'Brien ¶¶ 4-5

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10/24/2018	Duke & Duchess Shoppe 1630	Columbus, OH	BANG energy drinks in Monster shelf in cooler		James O'Brien ¶¶ 6-7
10/22/2018	Circle K 1355	Collinsville, IL	BANG energy drinks in Monster shelf in cooler		William Merritt ¶¶ 4-5

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9/27/2018	Big Red 134	Little Rock, AR	BANG energy drinks in Monster shelf in cooler		Aaron Cheney ¶¶ 4-5